

## § 251.41

## 35 CFR Ch. I (7–1–00 Edition)

(d) The rules set forth in paragraph (b)(1) of this section shall not disqualify an employee who has been continuously employed as a medical doctor since August 15, 1991, and who on that date was receiving the Panama Area differential.

[47 FR 12952, Mar. 26, 1982, as amended at 56 FR 40556, Aug. 15, 1991]

### § 251.41 Salary protection upon conversion of pay base.

(a) In the case of any employee whose rate of basic pay is determined in relation to rates of basic pay for the same or similar work in the United States and which is converted to a rate of basic pay which is determined in relation to rates in areas other than the United States, the employee shall continue to receive a rate of basic pay (but not including environmental differentials authorized under § 251.71 or § 251.72 of this chapter) not less than that to which the employee was entitled immediately before the conversion.

(b) This section shall cease to apply with respect to any employee if the employee is placed in a position:

(1) For which the rate of basic pay is determined in relation to rates of basic pay in the United States; or

(2) Which is of a lower grade.

### § 251.42 Individual pay determinations.

(a) Except as provided in paragraph (b) of this section, pay determinations in connection with personnel actions such as promotions, demotions, transfers, and conversions to new schedules shall be made in accordance with regulations generally in effect for employees in the Federal service as follows:

(1) *Non-manual category.* Salary changes for employees in this category shall be in general conformity with Subparts B and C of 5 CFR Part 531.

(2) *Manual category.* Wage determinations for employees in this category shall be made in accordance with regulations published by the PAPB. Such regulations shall generally conform to regulations published in 5 CFR Part 532.

(3) *Special category.* Salary and wage changes for employees in this category shall be made in accordance with regulations promulgated by the employing

agency. In those cases where more than one agency employs persons in positions in this category, the regulations will be developed jointly by the interested agencies.

(b) The pay and grade retention regulations in effect for employees to whom Chapter 51 of Title 5, United States Code, applies, which are set forth in 5 CFR Part 536, shall, in general, apply to reductions in the pay or grade of employees to whom this section applies, except that the provisions of 5 CFR Part 536 pertaining to retroactivity and to appeals shall not apply, and except that the PAPB may make other exceptions.

### § 251.43 Within-grade increases.

(a) *Non-manual category.* Employees in positions in this category shall be advanced to higher steps within the grade of their positions generally in accordance with 5 CFR Part 531, Subpart D.

(b) *Manual category.* Employees in positions in this category shall be advanced successively to the next higher step in their grade level generally in accordance with FPM Supplement 532-1.

(c) *Special category.* Employees in positions in this category shall be advanced successively to the next higher step within their grade in accordance with regulations to be prescribed by the head of the agency concerned.

[47 FR 12952, Mar. 26, 1982, as amended at 51 FR 33262, Sept. 19, 1986]

### § 251.71 Environmental and night shift differentials for manual-type positions.

The head of each agency, in coordination with the heads of other agencies, may authorize payment of environmental differentials for manual-type positions to compensate for exposure to hazards, physical hardships, and working conditions of an unusually severe nature which have not been considered in determining the base rate of pay for the position in question. Differentials for night work may also be established for manual-type positions. Any differential prescribed under this section shall conform with like differentials established under the Federal Wage System to the extent that it